

**REMARKS**

Claims 1, 29 and 33 have been amended to better define the claimed invention and to better distinguish the claimed invention over the prior art. Also, several clerical errors have been corrected in other claims.

Claims 1, 3-11, 13, 14, 16-21, 26-33, 35, 40, and 41 have been rejected under 35 U.S.C. § 102(b) as anticipated by Küchel (U.S. Patent No. 4872755). Independent claims 1, 29 and 33 have been amended to specify the temporal synchronization of the beams, thus eliminating a beam splitter cube component. This is an improvement over Küchel because it eliminates interference introduced into the interferometry module from temporal delays created by the beam splitter cube. Küchel identifies as a component of his invention “at least one optical delay device” and how useful a time delay is to his invention. [Abstract, Col 8 lines 23-24]. Applicants’ claimed invention is distinguished from Küchel not only because the beams follow substantially the same path but also because they are also temporally synchronized, eliminating the need for a major component of Küchel, specifically the beam splitter cube. This is not only a significant structural difference between Küchel and Applicants’ claimed invention, but also a functional difference because it provides more accurate data by reducing beam interference which occurs from time delay devices. Therefore, in view of the amendments made in the claims and the above discussion, independent claims 1, 29 and 33 and dependent claims 3-11, 13, 14, 16-21, 26-28, 30-32, 35, 40, and 41, cannot be said to be anticipated by or for that matter obvious from Küchel

Turning to Examiner’s rejection of claims 12, 15, 16 and 22-25 as obvious under 35 U.S.C. 103(a), all of these claims are directly or indirectly dependent on claim 1. The deficiencies of Küchel vis-à-vis claim 1 are discussed above. Claims 12, 15, 16 and 22-25 are

**HAYES SOLOWAY P.C.**  
3450 E. SUNRISE DRIVE,  
SUITE 140  
TUCSON, AZ 85718  
TEL. 520.882.7623  
FAX. 520.882.7643

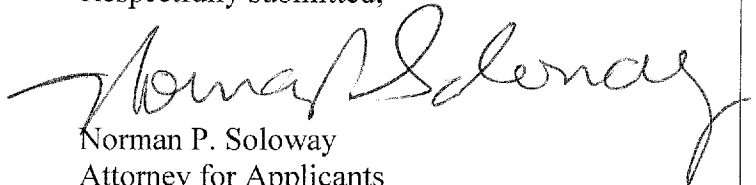
175 CANAL STREET  
MANCHESTER, NH 03101  
TEL. 603.668.1400  
FAX. 603.668.8567

allowable over Küchel for the same reasons above adduced relative to claim 1, as well as for their own additional limitations.

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action is respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



Norman P. Soloway  
Attorney for Applicants  
Reg. No. 24,315

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being deposited with the United States Patent Office via the electronic filing procedure on December 31, 2009.

By: 

NPS:cjb:sb

**HAYES SOLOWAY P.C.**  
3450 E. SUNRISE DRIVE,  
SUITE 140  
TUCSON, AZ 85718  
TEL. 520.882.7623  
FAX. 520.882.7643

175 CANAL STREET  
MANCHESTER, NH 03101  
TEL. 603.668.1400  
FAX. 603.668.8567